

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

**JONATHAN VILLAREAL, individually §
and derivatively on behalf of §
ZROBLACK, LLC. §
Plaintiffs, §
v. §**

CIVIL ACTION NO. 5:20-CV-00571-OLG

**JOHN SAENZ, MIGUEL §
VILLARREAL, JR., and GUNN, LEE, §
& CAVE, P.C. §
Defendants §**

**CHARLES M.R. VETHAN’S, JOSEPH L. LANZA’S, AND THE VETHAN LAW FIRM’S
MOTION TO WITHDRAW AS ATTORNEY IN CHARGE**

Charles M.R. Vethan, Joseph L. Lanza, and the Vethan Law Firm, P.C. asks this Court to allow them to withdraw as attorney in charge for Plaintiff JONATHAN VILLAREAL and ZROBLACK, LLC.

I. INTRODUCTION

1. Charles M.R. Vethan, Joseph L. Lanza, and the Vethan Law Firm, P.C. represent Plaintiff Jonathan Villareal.

2. Plaintiffs sued Defendant John Saenz for (1) violations of the DTSA and TUTSA; (2) violations of the CFAA; (3) violations of the ACPA; (4) breach of contract; (5) breach of fiduciary duty; (6) tortious interference with prospective business relations; (7) conversion; (8) violation of the Texas Theft Liability Act; and (9) fraud and sought a declaration pursuant to 28 U.S.C. § 2201 that the ZroBlack Operating Agreement and Release are void and unenforceable due to fraud and mutual mistake.

3. Plaintiffs sued Defendants Villarreal, Jr. and Gunn, Lee, & Cave, P.C., for state law legal malpractice and breach-of-fiduciary duty claims.

II. ARGUMENT

4. There is a good cause for this Court to grant the motion to withdraw. Plaintiffs have terminated the services of the firm and its attorneys, including Charles M.R. Vethan and Joseph L. Lanza. Plaintiffs have directed counsel to file this motion to withdraw immediately.

5. Plaintiffs' last known address is 179 Enterprise Parkway #101, Boerne, Texas 78006. Plaintiffs have been sent a copy of this motion.

6. Plaintiff currently has the following deadlines pending:

- a. Deadline to file objections to Magistrate's Report and Recommendations on Plaintiffs' Application for Seizure an Injunctive Relief (Doc. 58): Friday, May 28, 2021.
- b. Deadline to file objections to Magistrate's Report and Recommendations on Defendants' Rule 12(b)(6) Motions to Dismiss (Doc. 59): Tuesday, June 1, 2021.

7. Plaintiffs have been advised of these deadlines in writing.

III. CERTIFICATE OF CONFERENCE

8. The undersigned has conferred with counsel representing the Defendants regarding the subject matter of this motion. Counsel for Defendants have advised that they are not opposed to this motion.

IV. CONCLUSION

9. For the reasons of termination of the firm's services at the request of the client, Charles M.R. Vethan, Joseph L. Lanza, and the Vethan Law Firm, P.C. ask this Court to grant

their motion to withdraw from further representation of Plaintiffs Jonathan Villareal and ZroBlack, LLC and relieve counsel of any further responsibility for this matter.

Respectfully submitted,

THE VETHAN LAW FIRM, PC

By: /s/ Joseph L. Lanza

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Attorneys for Plaintiffs

CERTIFICATE OF CONFERENCE

I, undersigned attorney, hereby certify to the Court that I have conferred with opposing counsel in an effort to resolve the issues contained in this motion without the necessity of Court intervention, and opposing counsels ARE NOT OPPOSED to this Motion to Withdraw as Counsel.

Certified on the 19th of May 2021.

/s/ Joseph L. Lanza

Joseph L. Lanza

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was electronically filed with the Court on the 19th day of May 2021, and electronically served on the date reflected in the ECF system upon all parties registered to receive notice pursuant to the Court's CM/ECF system.

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/s/ Joseph L. Lanza
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